

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARGARET MCCLAIN HARE,
Individually and as Personal
Representative of the Estate of
FRANCIS X. MCCLAIN, Deceased,

Plaintiff,

vs.

No. CIV 14-1003 JB/CG

BOARD OF COUNTY COMMISSIONERS
OF LEA COUNTY, AND POLITICAL
SUBDIVISION OF THE STATE OF NEW
MEXICO; LEA COUNTY SHERIFF'S [sic]
DEPARTMENT, A POLITICAL
SUBDIVISION OF THE STATE OF NEW
MEXICO; DEPUTY REX FLEETWOOD
IN HIS PERSONAL AND OFFICIAL
CAPACITY AS A DEPUTY OF LEA
COUNTY; AND MARK HARGROVE,
SHERIFF, IN HIS PERSONAL AND
OFFICIAL CAPACITY,

Defendants.

consolidated with

DORA PANDO, as Personal Representative
for Leon Sanchez,

Plaintiff,

vs.

No. CIV 14-1017 JB/CG

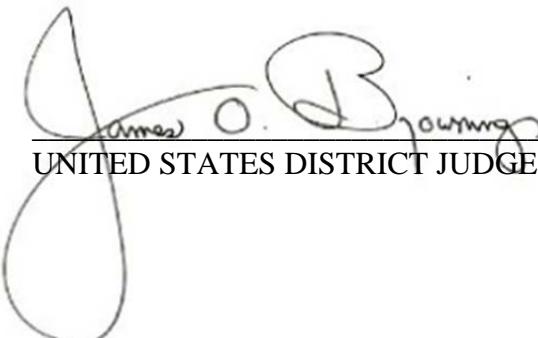
LEA COUNTY SHERIFF'S
DEPARTMENT, MARK HARGROVE,
in His [sic] personal and official
capacity as Undersheriff of Lea County,
and REX FLEETWOOD, in his personal
and Official [sic] capacity as a Deputy of
Lea County,

Defendants.

FINAL JUDGMENT

THIS MATTER comes before the Court on: (i) the Stipulated Order Dismissing State Tort Claims, filed April 30, 2015 (Doc. 22)(“Order”); and (ii) the Memorandum Opinion and Order, filed November 30, 2015 (Doc. 44)(“MOO”). The Order granted the Defendants’ Motion to Dismiss State Tort Claims, filed March 30, 2015 (Doc. 18), thereby dismissing all state tort claims against Defendants Lea County, New Mexico; Lea County Sheriff’s Department; Lea County Undersheriff Mark Hargrove; and Lea County Deputy Rex Fleetwood with prejudice. See Order at 1-2. The MOO granted the Defendants’ Motion for Summary Judgment, filed September 23, 2015 (Doc. 37), thereby dismissing Defendants Lea County, New Mexico; Lea County Sheriff’s Department; Lea County Undersheriff Mark Hargrove; and Lea County Deputy Rex Fleetwood with prejudice. See MOO at 54. Consequently, there not being any remaining claims or parties which the Court needs to address, the Court finds that final judgment in this case is appropriate.

IT IS ORDERED that all of Plaintiffs Margaret McClain Hare and Dora Pando’s claims brought, or which could have been brought, against Defendants Lea County, New Mexico; Lea County Sheriff’s Department; Lea County Undersheriff Mark Hargrove; and Lea County Deputy Rex Fleetwood, are dismissed with prejudice. Final judgment is entered in this case.



UNITED STATES DISTRICT JUDGE

Counsel:

Max Houston Proctor
Hobbs, New Mexico

-- and --

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Attorney for the Defendants